

#### IV. REMARKS

In the Office Action, correction of the Abstract was required, and is provided in the present response by amendment of the Abstract.

Claims 1-8 and 10-24 were rejected under 35 U.S.C. 102 as being anticipated by Nagendran (US 6,731,940) for reasons set forth in the Action. Claim 9 was rejected under 35 U.S.C. 103 as being unpatentable over Nagendran for reasons set forth in the Action.

The independent claims 1, 16 and 22-24 have been amended to distinguish the claims from the teachings of the cited art, thereby to overcome the foregoing rejections and to obtain allowable subject matter in the claims.

Claim 4 is cancelled in view of the inclusion of its subject matter in amended claim 1.

The amended independent claims, as well as their respective dependent claims are believed to be distinguishable from the teachings of Nagendran in view of the following argument.

Nagendran discloses a method for finding the location of a mobile device user and using the location to customize the information and to determine the way of delivering such information to the user. The customized information is only transmitted to the mobile device from which the request is originated. The location of the mobile device is determined by a base station on the basis of RF signal characteristics transmitted from the mobile station. The base station receives the signal by an antenna array, wherein the base station can

determine the location of the mobile station by examining the properties of the signals received by the antenna array. When the location is determined, it is transmitted to the mobile station. The mobile station can then request certain types of location dependent information from an information database, for example, information of gas stations located near the current location of the mobile station.

As the above description indicates, the request is initiated by the wireless communication device to which information which fulfils the criteria is transmitted.

In the system of the present application, a sender transmits a message containing the information. The message is stored to the system and includes information indicating a message transmission range. The stored information is also includes information which identifies the wireless communication device to which a message containing the stored information is intended to be transmitted when that wireless communication device is nearby the certain location (i.e. within the message transmission range). When a recipient (a user of said wireless communication device) arrives within the message transmission range, the message will be transmitted to the wireless communication device.

In the present system, it is also possible to determine the validity time for the information. In other words, the stored information is only transmitted to the wireless communication device if the wireless transmission device enters the message transmission range during the validity time.

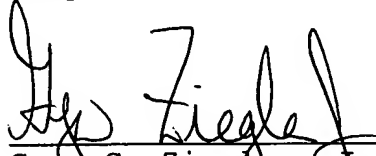
Moreover, the message transmission range is defined on the basis of the position of the sender's wireless communication device.

The foregoing analysis shows that Nagendran differs from the present invention in that Nagendran does not teach that the message transmission range is defined on the basis of the position of the sender's wireless communication device. In order to emphasize this distinction between the cited art and the present invention, Claim 1 is amended to provide a further description of the range definition step, by stating that the step is based on the current position of the sender's wireless communication device. Support for this limitation is found in the present specification on page 8 at lines 13-33. In addition the amendatory language of claim 1 includes a further step of defining a validity period for the message. Support for this limitation is found in the present specification on page 12 at line 33 to page 13 at line 1. Corresponding amendments are made to the other independent claims 16 and 22-24. The amendatory material inserted into the independent claims 1, 16 and 22-24 emphasize the foregoing distinction so as to overcome the foregoing rejections, thereby to obtain allowable subject matter in the claims.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$120.00 is enclosed for a one month extension of time. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
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Reg. No. 44,004

7 March 2005  
Date

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